



**U.S. Department of Justice**

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**EVENT: Guilty Plea**

**Defendant: Daniel J. Lin**

**FIRST MAN CHARGED UNDER "CAN-SPAM"  
ACT PLEADS GUILTY TO THREE FELONIES**

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The first person charged under "CAN-SPAM", the federal law that made certain kinds of fraudulent or unauthorized mass electronic mailings or "spamming" federal crimes, has pleaded guilty to three felony counts in United States District Court in Ann Arbor, Michigan, United States Attorney Stephen J. Murphy announced today.

Murphy was joined in the announcement by Gregory Campbell, United States Postal Inspector in Charge, for the U.S. Postal Inspection Service.

Daniel J. Lin, 30, of West Bloomfield, entered the guilty plea in United States District Court before Judge John Corbett O'Meara.

The information presented to the court at the time of the plea showed that between January 2004 and August 2004, Daniel Lin and others developed a business to market and sell certain products, including weight loss patches, so called "generic" viagra and cialis pills, and other products through the use of "spam" or bulk commercial electronic mail. Lin caused hundreds of thousands of email messages advertising these products to be sent containing falsified header information, or by routing the messages through other computers without authorization. In carrying out this scheme, Lin and others caused the introduction into the United States of prescription medications from India, in packages that did not declare their true contents, and sold these drugs in the United States without a prescription as required by the Food and Drug Administration. At the time of the execution of the search warrant on Lin's residence in West Bloomfield, Lin, a convicted felon, was in possession of two firearms.

Under the terms of the plea agreement, Lin faces up to 57 months imprisonment and a fine of up to \$250,000.

"Those who use deception in their bulk emails, or who take over other people's computers in order to hawk unapproved prescription drugs or other illegitimate pseudo medical products are a scourge to most Americans," Mr. Murphy said. "Anyone who is abusing the Internet to send illegal spam should take notice that the free ride is over. We have the legal tools to prosecute these cases vigorously and we intend to do so."

Postal Inspector in Charge Campbell said, "the Postal Inspection Service's mission is to maintain the public's high confidence in the U.S. Mail by investigating those who would use the mail as part of a criminal enterprise. We are proud to have initiated the very first criminal prosecution under the new federal statute, commonly referred to as the "Can-spam" act, which prohibits abusive and predatory email practices."

A sentencing hearing was set by Judge O'Meara for May 16, 2006 at 8:30 a.m.

The case is being prosecuted by First Assistant United States Attorney Terrence Berg and was investigated by Postal Inspector Karl A. Hansen.